

relating to authorization of appropriations for subchapter XII-A of this chapter, as (8).

Subsec. (a)(9). Pub. L. 102-534, §1(9)(C), which directed the amendment of subsec. (a)(9) by substituting “such subchapter” for “such subchapters” in “subsection (c)”, could not be executed because “such subchapters” did not appear in text of subsec. (a)(9).

Pub. L. 102-534, §1(9)(A), (B), substituted “such sums as may be necessary for fiscal year 1992, \$22,000,000 for fiscal year 1993, and such sums as may be necessary for fiscal year 1994” for “\$20,000,000 for fiscal year 1991, and such sums as may be necessary for fiscal years 1992 and 1993.”

Pub. L. 102-521, §4(c)(1), and Pub. L. 102-534, §1(1), amended subsec. (a) identically, redesignating par. (7), relating to authorization of appropriations for subchapter XII-C of this chapter, as (9).

Subsec. (a)(10). Pub. L. 102-521, §4(c)(2), added par. (10).

1990—Subsec. (a)(3). Pub. L. 101-647, §241(c)(1)(A), substituted “XII-A, and XII-B” for “and XII-A”.

Subsec. (a)(5). Pub. L. 101-647, §2801, amended par. (5) generally. Prior to amendment, par. (5) read as follows: “There are authorized to be appropriated \$275,000,000 for fiscal year 1989; \$350,000,000 for fiscal year 1990; \$400,000,000 for fiscal year 1991; and such sums as may be necessary for fiscal year 1992 to carry out the programs under subchapters IV and V of this chapter.”

Subsec. (a)(6). Pub. L. 101-647, §1801(e), added par. (6) relating to authorization of appropriations for subpart 2 of part B of subchapter V of this chapter.

Pub. L. 101-647, §241(c)(1)(C), added par. (6) relating to authorization of appropriations for subchapter XII-B of this chapter. Former par. (6) redesignated (7).

Subsec. (a)(7). Pub. L. 101-647, §801(b), added par. (7) relating to authorization of appropriations for subchapter XII-C of this chapter.

Pub. L. 101-647, §241(c)(1)(B), redesignated par. (6), relating to authorization of appropriations for subchapter XII-A of this chapter, as (7).

Subsec. (b). Pub. L. 101-647, §241(c)(2), which directed substitution of “XII-A, and XII-B” for “and XII-A”, could not be executed because the words “and XII-A” did not appear.

1988—Pub. L. 100-690 amended section generally, substituting provisions authorizing appropriations for fiscal years 1989 through 1992 for provisions authorizing appropriations for fiscal years 1984 through 1988.

1986—Subsec. (a)(3). Pub. L. 99-570, §1552(c)(1)(A), inserted reference to subchapter XII-A of this chapter.

Subsec. (a)(6), (7). Pub. L. 99-570, §1552(c)(1)(B), (C), added par. (6) and redesignated former par. (6) as (7).

Subsec. (b). Pub. L. 99-570, §1552(c)(2), inserted reference to subchapter XII-A of this chapter.

1984—Pub. L. 98-473, in amending section generally, designated existing provisions as subsec. (a), substituted appropriations authorization of necessary sums for fiscal years 1984 through 1988 for authorizations for fiscal years ending Sept. 30, 1980, through 1983, struck out provisions authorizing appropriations for subchapter VIII and for carrying out remaining functions of the Law Enforcement Assistance Administration, and added subsec. (b).

EFFECTIVE DATE OF 2013 AMENDMENT

Amendment by Pub. L. 113-4 not effective until the beginning of the fiscal year following Mar. 7, 2013, see section 4 of Pub. L. 113-4, set out as a note under section 2261 of Title 18, Crimes and Criminal Procedure.

EFFECTIVE DATE OF 2006 AMENDMENT

Pub. L. 109-162, §4, as added by Pub. L. 109-271, §1(b), Aug. 12, 2006, 120 Stat. 750, provided that: “Notwithstanding any other provision of this Act or any other law, sections 101, 102 (except the amendment to section 2101(d) of the Omnibus Crime Control and Safe Streets Act of 1968 [34 U.S.C. 10461(d)] included in that section), 103, 121, 203, 204, 205, 304, 306, 602, 906, and 907 of this Act [see Tables for classification] shall not take effect until the beginning of fiscal year 2007.”

EFFECTIVE DATE OF 1994 AMENDMENT

Amendment by section 210302(c)(3) of Pub. L. 103-322 effective 60 days after Sept. 13, 1994, see section 210302(c)(4) of Pub. L. 103-322, set out as an Effective Date note under section 10511 of this title.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-473 effective Oct. 12, 1984, see section 609AA(a) of Pub. L. 98-473, set out as an Effective Date note under section 10101 of this title.

CONSTRUCTION OF 2008 AMENDMENT

For construction of amendments by Pub. L. 110-199 and requirements for grants made under such amendments, see section 60504 of this title.

USE OF FUNDS AVAILABLE UNDER FORMER SUBSECTION (a)(20)

Pub. L. 104-134, title I, §101[(a)] [title I, §114(b)(1)(B)(ii)], Apr. 26, 1996, 110 Stat. 1321, 1321-21, provided that: “Notwithstanding the provisions of subparagraph (A) [repealing sections 3796ii to 3796ii-8 of Title 42, The Public Health and Welfare], any funds that remain available to an applicant under paragraph (20) of [section 1001(a) of] title I of the Omnibus Crime Control and Safe Streets Act of 1968 [former 42 U.S.C. 3793(a)(20)] shall be used in accordance with part V of [title I of] such Act [former 42 U.S.C. 3796ii to 3796ii-8] as if [sic] such Act [part] was in effect on the day preceding the date of enactment of this Act [Apr. 26, 1996].”

FINANCIAL SUPPORT FOR PROGRAMS, ETC., DEVOTED TO INTERNATIONAL ASPECTS OF CRIME PREVENTION AND CRIMINAL JUSTICE

Pub. L. 96-132, §20(a), Nov. 30, 1979, 93 Stat. 1049, provided that: “The National Institute of Justice, the Bureau of Justice Statistics, and the Law Enforcement Assistance Administration are authorized to use funds, and to authorize States to use funds, for programs, projects or events devoted to the international aspects of crime prevention and criminal justice.”

§ 10262. State and local governments to consider courts

The Attorney General may require, as appropriate, that whenever a State or unit of local government or Indian tribe applies for a grant from the Department of Justice, the State, unit, or tribe demonstrate that, in developing the application and distributing funds, the State, unit, or tribe—

(1) considered the needs of the judicial branch of the State, unit, or tribe, as the case may be;

(2) consulted with the chief judicial officer of the highest court of the State, unit, or tribe, as the case may be; and

(3) consulted with the chief law enforcement officer of the law enforcement agency responsible for the security needs of the judicial branch of the State, unit, or tribe, as the case may be.

(Pub. L. 110-177, title III, §302(c), Jan. 7, 2008, 121 Stat. 2539.)

CODIFICATION

Section was enacted as part of the Court Security Improvement Act of 2007, and not as part of title I of the Omnibus Crime Control and Safe Streets Act of 1968 which comprises this chapter.

Section was formerly classified to section 3702 of Title 42, The Public Health and Welfare, prior to editorial reclassification and renumbering as this section.

§ 10263. Oversight and accountability

All grants awarded by the Department of Justice that are authorized under this Act shall be subject to the following:

(1) Audit requirement

Beginning in fiscal year 2016, and each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants under this Act to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(2) Mandatory exclusion

A recipient of grant funds under this Act that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this Act during the 2 fiscal years beginning after the 12-month period described in paragraph (5).

(3) Priority

In awarding grants under this Act, the Attorney General shall give priority to eligible entities that, during the 3 fiscal years before submitting an application for a grant under this Act, did not have an unresolved audit finding showing a violation in the terms or conditions of a Department of Justice grant program.

(4) Reimbursement

If an entity is awarded grant funds under this Act during the 2-fiscal-year period in which the entity is barred from receiving grants under paragraph (2), the Attorney General shall—

(A) deposit an amount equal to the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(B) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

(5) Defined term

In this section, the term “unresolved audit finding” means an audit report finding in the final audit report of the Inspector General of the Department of Justice that the grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within a 12-month period beginning on the date when the final audit report is issued.

(6) Nonprofit organization requirements**(A) Definition**

For purposes of this section and the grant programs described in this Act, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of title 26 and is exempt from taxation under section 501(a) of such title.

(B) Prohibition

The Attorney General shall not award a grant under any grant program described in this Act to a nonprofit organization that holds money in offshore accounts for the

purpose of avoiding paying the tax described in section 511(a) of title 26.

(C) Disclosure

Each nonprofit organization that is awarded a grant under a grant program described in this Act and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees and key employees, shall disclose to the Attorney General, in the application for the grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, the Attorney General shall make the information disclosed under this subsection available for public inspection.

(7) Administrative expenses

Unless otherwise explicitly provided in authorizing legislation, not more than 7.5 percent of the amounts authorized to be appropriated under this Act may be used by the Attorney General for salaries and administrative expenses of the Department of Justice.

(8) Conference expenditures**(A) Limitation**

No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or the appropriate Assistant Attorney General, Director, or principal deputy as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

(B) Written approval

Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audio/visual equipment, honoraria for speakers, and any entertainment.

(C) Report

The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all conference expenditures approved by operation of this paragraph.

(9) Prohibition on lobbying activity**(A) In general**

Amounts authorized to be appropriated under this Act may not be utilized by any grant recipient to—

(i) lobby any representative of the Department of Justice regarding the award of grant funding; or

(ii) lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.